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Criminal Enforcement/Hazardous Waste: U.S. Department of Justice References Guilty Plea of Madison Heights, Michigan, Individual/Electro-Plating Company

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The United States Department of Justice (“DOJ”) issued a February 14th news release stating that Gary Alfred Sayers and his company, Electro-Plating Services Inc. (“EPSI”) pleaded guilty to a felony charge of illegal storage of Resource Conservation and Recovery Act (“RCRA”) hazardous wastes.

The alleged illegal storage is stated to have taken place at EPSI’s Madison Heights, Michigan, facility.

The RCRA hazardous waste is stated to have been utilized by EPSI in its electroplating activities. The materials are alleged to have become hazardous wastes after they no longer fulfilled their industrial purposes. The individual is stated to have “almost never sent those wastes away for proper disposal, preferring to keep them on site indefinitely.”

The alleged knowing RCRA violation is derived from the allegation that the individual knew that such storage was illegal because he also managed the company’s former Detroit facility. The news release further notes:

... where he kept hazardous wastes illegally until 2005 – and because the Michigan Department of Environmental Quality (MDEQ) repeatedly sent him warnings. In 2005, Sayers was charged with and pleaded guilty to illegally transporting hazardous wastes. During the ensuing years, MDEQ attempted to get Sayers and Electro-Plating Services to properly manage the amounts of hazardous wastes piling up at the Madison Heights location. MDEQ issued numerous Letters of Warning and Violation Notices to the company regarding its hazardous wastes.

A sentencing date has been set of May 16th.

The news release indicates that the company will pay the United States Environmental Protection Agency \$1,444,510 for its direct costs to clean up the facility.

A copy of the news release can be found [here](#).